

Message Text

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ACTION OES-07

INFO OCT-01 AF-10 ARA-10 EA-07 EUR-12 NEA-10 IO-13
ACDA-07 COME-00 INT-05 FEAE-00 CG-00 NSF-01
CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00 SSO-00
USIE-00 INRE-00 ISO-00 EPG-02 DOTE-00 EB-07 /131 W
-----096576 271218Z /45

O R 271118Z JUN 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 5546
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY CANBERRA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMEMBASSY MOSCOW
AMEMBASSY OSLO
AMEMBASSY SANTIAGO
AMEMBASSY TOKYO
AMEMBASSY WARSAW
AMEMBASSY WELLINGTON

C O N F I D E N T I A L SECTION 01 OF 03 LONDON 10570

E.O.11652: GDS
TAGS: TGEN, XV, UK
SUBJECT: ANTARCTIC TREATY: ADMISSION TO CONSULTATIVE
STATUS: HEAP'S SINGLE NEGOTIATING TEXTS

1. WE HAVE JUST RECEIVED LETTER FROM FCO TRANSMITTING
DRAFT TEXTS RELATING TO THE PROCEDURE TO BE ADOPTED TO
GIVE EFFECT TO ARTICLE IX (2) OF THE ANTARCTIC TREATY FOR
INCLUSION IN THE FINAL REPORT OF THE SPECIAL CONSULTATIVE
MEETING TO BE HELD ON JULY 25 AND THE DRAFT TEXT RELATING
TO THE STATUS OF POLAND AS A CONSULTATIVE PARTY ALSO FOR
INCLUSION IN THIS REPORT. THE LETTER EXPLAINS THAT IN
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DRAFTING TEXTS THE CHAIRMAN OF THE MONTHLY PREPARATORY
MEETINGS, JOHN HEAP, CONSULTED WITH THE ARGENTINE,
AUSTRALIAN AND SOUTH AFRICAN REPRESENTATIVES. WHILE
UNDERTAKING THIS TASK, IT BECAME CLEAR THAT THE ARGEN-
TINE PAPERS WOULD BENEFIT BY A FEW MINOR MODIFICATIONS
BASED ON CONCEPTS AND WORDING IN OTHER PAPERS. ONLY CON-
CEPT INCLUDED IN THESE DRAFTS WHICH HAS NOT PREVIOUSLY

APPEARED CONCERNS THE REFERENCES TO ARTICLE X OF THE TREATY. THE OBJECT OF THESE REFERENCES IS TO TAKE ACCOUNT OF THE ARGENTINE CONCERN THAT THE ACTIVITIES OF A STATE REQUESTING CONSULTATIVE STATUS SHOULD BE IN ACCORDANCE WITH THE OBJECTIVES, PURPOSES AND SPIRIT OF THE ANTARCTIC TREATY AND THE AUSTRALIAN VIEW THAT THE QUESTION OF PROCEDURE IN RELATION TO ARTICLE IX (2) SHOULD BE TIED AS CLOSELY AS POSSIBLE TO THE TERMS OF THE ANTARCTIC TREATY.

2. AT JUNE 16 MONTHLY MEETING CONCERN WAS EXPRESSED ON TWO FURTHER POINTS. FIRST RELATED TO APPROVAL OF TREATY RECOMMENDATIONS BY AN ACCEDING STATE. RATHER THAN PLACING AN OBLIGATION ON SUCH A STATE TO APPROVE SUCH RECOMMENDATIONS, HEAP'S PROPOSED TEXT SUGGESTS RESTRICTING THE REFERENCE TO A "MECHANISM" BY WHICH THE CONSULTATIVE PARTIES COULD ASCERTAIN THE ATTITUDE OF AN ACCEDING STATE ON THIS POINT. IN ORDER TO GUIDE AN ACCEDING STATE IN THE ATTITUDE IT SHOULD ADOPT ON THIS POINT, A PREAMBULAR PARAGRAPH HAS BEEN ADDED USING WORDING CONTAINED IN THE "EXPLANATORY STATEMENT" ADOPTED AT THE FOURTH CONSULTATIVE MEETING.

3. SECOND POINT RELATED TO PARAGRAPH 5 OF THE SOUTH AFRICAN PROPOSAL. AT THE MEETING OPINION WAS DIVIDED BETWEEN THOSE WHO SAW VIRTUE IN THE INCLUSION OF A CONFIDENTIAL

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REFERENCE TO THE TERMINATION OF CONSULTATIVE STATUS AND THOSE WHO FEEL IT IS NOT NECESSARY AND THAT ARTICLE IX (2) SHOULD BE ALLOWED TO OPERATE WITHOUT INTERPRETATION. IN HIS DRAFT HEAP HAS ATTEMPTED TO CHART A MIDDLE COURSE BY REFERRING IN PARAGRAPH 6 OF HIS PROCEDURAL DRAFT TO STATES CONTINUING TO ENJOY CONSULTATIVE STATUS "SUBJECT TO ARTICLE IX (2) OF THE TREATY."

4. DRAFT TEXT RELATED TO PROCEDURE TO BE ADOPTED TO GIVE EFFECT TO ARTICLE IX (2) FOLLOWS. BEGIN TEXT:

THE GOVERNMENTS OF ARGENTINA, AUSTRALIA, BELGIUM, CHILE, FRANCE, JAPAN, NEW ZEALAND, NORWAY, THE REPUBLIC OF SOUTH AFRICA, THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA, BEING CONSULTATIVE PARTIES OF THE ANTARCTIC TREATY;

RECOGNIZING THE NEED FOR A PROCEDURE OF CONSULTATION TO BE ADOPTED BETWEEN THEM IN THE EVENT THAT ANOTHER STATE, HAVING ACCEDED TO THE ANTARCTIC TREATY, SHOULD NOTIFY THE DEPOSITARY GOVERNMENT THAT IT CONSIDERS IT IS ENTITLED TO APPOINT REPRESENTATIVES TO PARTICIPATE IN ANTARCTIC TREATY CONSULTATIVE MEETINGS.

RECALLING THEIR OBLIGATION UNDER ARTICLE X OF THE
ANTARCTIC TREATY TO EXERT APPROPRIATE EFFORTS, CONSIST-
ENT WITH THE CHARTER OF THE UNITED NATIONS, TO THE END
THAT NO ONE ENGAGES IN ANY ACTIVITY IN ANTARCTICA CON-
TRARY TO THE PRINCIPLES OR PURPOSES OF THE TREATY;
RECALLING THAT RECOMMENDATIONS WHICH BECAME EFFECT-

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ACTION OES-07

INFO OCT-01 AF-10 ARA-10 EA-07 EUR-12 NEA-10 IO-13
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CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00 SSO-00
USIE-00 INRE-00 ISO-00 EPG-02 DOTE-00 EB-07 /131 W
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O R 271118Z JUN 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 5547
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY CANBERRA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMEMBASSY MOSCOW
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AMEMBASSY SANTIAGO
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AMEMBASSY WELLINGTON

C O N F I D E N T I A L SECTION 02 OF 03 LONDON 10570

C O R R E C T E D C O P Y FOR OMISSION IN PARA FOUR

IVE IN ACCORDANCE WITH ARTICLE IX OF THE TREATY ARE, IN
TERMS OF THAT ARTICLE, "MEASURES IN FURTHERANCE OF THE
PRINCIPLES AND OBJECTIVES OF THE TREATY";
RECOGNIZING THAT THE ENTITLEMENT OF AN ACCEDING
STATE TO APPOINT REPRESENTATIVES TO PARTICIPATE IN
ANTARCTIC TREATY CONSULTATIVE MEETINGS UNDER ARTICLE IX,
PARAGRAPH 2 OF THE TREATY DEPENDS ON SUCH A STATE ESTAB-

LISHING A SCIENTIFIC STATION OR DESPATCHING A SCIENTIFIC
EXPEDITION; AND ON THE SUBSTANTIAL NATURE OF THE SCIENTIFIC
RESEARCH ACTIVITY BEING UNDERTAKEN;
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HAVE HEREBY DECIDED TO ADOPT THE FOLLOWING MEASURES
GOVERNING THE ADMISSION OF AN ACCEDING STATE TO CONSULTATIVE
STATUS:

(1) AN ACCEDING STATE WHICH DESPATCHES A SCIENTIFIC EXPEDITION OR ESTABLISHES A SCIENTIFIC STATION SHALL NOTIFY ALL THE CONSULTATIVE PARTIES OF ITS ACTIVITIES IN ACCORDANCE WITH ARTICLE VII, PARAGRAPH 5 OF THE ANTARCTIC TREATY AND SUBSEQUENT RECOMMENDATIONS CODIFYING THE NATURE AND SCOPE OF THE INFORMATION TO BE EXCHANGED ABOUT ACTIVITIES IN THE ANTARCTIC.

(2) IF SUCH A STATE DEEMS ITSELF ELIGIBLE FOR CONSULTATIVE STATUS. IT SHALL SO NOTIFY THE DEPOSITARY GOVERNMENT FOR THE ANTARCTIC TREATY WHICH SHALL COMMUNICATE THAT NOTIFICATION TO ALL OTHER CONSULTATIVE PARTIES BY MEANS OF A NOTE;

(3) CONSULTATIVE PARTIES, IN EXERCISING THE OBLIGATION PLACED ON THEM BY ARTICLE X OF THE TREATY, SHALL EXAMINE THE INFORMATION ABOUT ITS ACTIVITIES SUPPLIED BY SUCH AN ACCEDING STATE. MAY CONDUCT ANY APPROPRIATE ENQUIRIES (INCLUDING THE EXERCISE OF THEIR RIGHT OF INSPECTION IN ACCORDANCE WITH ARTICLE VII OF THE TREATY) AND MAY REQUEST SUCH AN ACCEDING STATE, THROUGH THE DEPOSITARY GOVERNMENT, TO PROVIDE A STATEMENT REGARDING ITS ACCEPTANCE OF ADOPTED RECOMMENDATIONS AND ITS INTENTION TO APPLY AND BE BOUND BY THEM;

(4) WITHIN 12 MONTHS OF THE DATE OF THE NOTE BY THE DEPOSITARY GOVERNMENT TO THE OTHER CONSULTATIVE PARTIES REFERRED TO IN PARAGRAPH 2 ABOVE, THE GOVERNMENT WHICH IS TO HOST THAT MEETING SHALL CONVENE A SPECIAL CONSULTATIVE MEETING IN ORDER TO DETERMINE, ON THE BASIS OF ALL INFORMATION AVAILABLE TO IT, WHETHER THE ACCEDING STATE IN QUESTION HAS MET THE REQUIREMENTS OF THE ANTARCTIC TREATY TO BE ADMITTED TO CONSULTATIVE STATUS;
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(5) THE DECISION SO ADOPTED BY THE CONSULTATIVE PARTIES SHALL BE UNANIMOUS AND SHALL BE MADE PUBLIC IN THE FINAL REPORT OF THE SPECIAL CONSULTATIVE MEETING. IF AGREEMENT EXISTS TO THE EFFECT THAT THE REQUIREMENTS OF THE ANTARCTIC TREATY IN CONNECTION WITH THE ADMISSION OF STATES TO CONSULTATIVE STATUS HAVE BEEN MET, AN INVITA-

TION BY THE HOST GOVERNMENT TO THE STATE IN QUESTION TO
ATTEND THE NEXT CONSULTATIVE MEETING (OR PREPARATORY
MEETING AS THE CASE MAY BE) WILL THEREUPON BE ISSUED.
(6) A STATE, HAVING BEEN THUS INVITED INTO CONSULTATIVE
STATUS IN ACCORDANCE WITH THE ABOVE MEASURES, SHALL CON-
TINUE TO ENJOY THAT STATUS SUBJECT TO ARTICLE IX, PARA-
GRAPH 2 OF THE TREATY. DRAFT OF 23 JUNE 1977. END TEXT.

5. DRAFT TEXT RELATING TO THE STATUS OF POLAND AS A
CONSULTATIVE PARTY FOLLOWS. BEGIN TEXT:
THE GOVERNMENTS OF ARGENTINA, AUSTRALIA, BELGIUM,
CHILE, FRANCE, JAPAN, NEW ZEALAND, NORWAY, THE REPUBLIC
OF SOUTH AFRICA, THE UNION OF SOVIET SOCIALIST REPUBLICS,
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

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PAGE 01 LONDON 10570 03 OF 03 271632Z
ACTION OES-07

INFO OCT-01 AF-10 ARA-10 EA-07 EUR-12 NEA-10 IO-13
ACDA-07 COME-00 INT-05 FEAE-00 CG-00 NSF-01
CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00 SSO-00
USIE-00 INRE-00 ISO-00 EPG-02 DOTE-00 EB-07 /131 W
-----100125 271637Z /40

O R 271118Z JUN 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 5548
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY CANBERRA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMEMBASSY MOSCOW
AMEMBASSY OSLO
AMEMBASSY SANTIAGO
AMEMBASSY TOKYO
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AMEMBASSY WELLINGTON

C O N F I D E N T I A L SECTION 03 OF 03 LONDON 10570

C O R R E C T E D C O P Y FOR LINE TWO RECEIVED GARBLED

IN ORIGINAL TRANSMISSION

AND THE UNITED STATES OF AMERICA;

RECALLING THAT THE POLISH PEOPLE'S REPUBLIC ACCEDED
TO THE ANTARCTIC TREATY ON THE 8TH OF JUNE 1961 IN
ACCORDANCE WITH ARTICLE XIII;

NOTING THAT THE POLISH PEOPLE'S REPUBLIC ESTABLISH-
ED A PERMANENT SCIENTIFIC STATION NAMED "HENRYK ARCTOW-
SKI ANTARCTIC STATION" ON POINT THOMAS, ADMIRALTY BAY,
KING GEORGE ISLAND, SOUTH SHETLAND ISLANDS ON 26 FEB-
RUARY 1977 AND THAT THE POLISH PEOPLE'S REPUBLIC DOES
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THEREBY DEMONSTRATE ITS INTEREST IN ANTARCTICA IN
ACCORDANCE WITH ARTICLE IX PARAGRAPH 2 OF THE TREATY;

RECALLING THAT THE POLISH PEOPLE'S REPUBLIC HAS
MADE KNOWN ITS APPROVAL OF ALL THE RECOMMENDATIONS
ADOPTED AT THE FIRST EIGHT ANTARCTIC TREATY CONSULTATIVE
MEETINGS;

HAVING ASCERTAINED IN ACCORDANCE WITH ARTICLE X OF
THE TREATY, ON THE BASIS OF INFORMATION PROVIDED ABOUT
SCIENTIFIC INVESTIGATIONS BEING UNDERTAKEN AT THE STA-
TION AND OF ANY INSPECTION CARRIED OUT UNDER ARTICLE VII
OF THE TREATY, THAT THE ACTIVITIES OF THE POLISH PEOP-
LE'S REPUBLIC IN THE ANTARCTIC ARE IN ACCORDANCE WITH
THE PRINCIPLES AND PURPOSES OF THE TREATY;

HEREBY DECIDE TO ACKNOWLEDGE THAT THE POLISH PEOP-
LE'S REPUBLIC HAS FULFILLED THE REQUIREMENTS ESTABLISHED
IN ARTICLE IX, PARAGRAPH 2 OF THE ANTARCTIC TREATY AND
THAT, AS A CONSEQUENCE, HAS THE RIGHT TO APPOINT REPRESENTATIVES IN ORDER TO PARTICIPATE IN THE CONSULTATIVE MEETINGS PROVIDED FOR IN ARTICLE IX, PARAGRAPH 1 OF THE TREATY. DRAFT OF 23 JUNE 1977. END TEXT.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ANTARCTIC TREATY
Control Number: n/a
Copy: SINGLE
Sent Date: 27-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977LONDON10570
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770228-1028
Format: TEL
From: LONDON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770615/aaaaamrq.tel
Line Count: 317
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6b58da75-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
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Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
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Review Withdrawn Fields: n/a
SAS ID: 2023213
Secure: OPEN
Status: NATIVE
Subject: ANTARCTIC TREATY: ADMISSION TO CONSULTATIVE STATUS: HEAP'S SINGLE NEGOTIATING TEXTS
TAGS: TGEN, XV, UK
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/6b58da75-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
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22 May 2009
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